

was simply allowed by our laws in the State of Texas to go into law because there was no action. However, I think the evidence of its success should be very evident for our President, and he would see that we could live with accountability and in fact not have a disastrous situation.

But I do want to note for those who are thinking, well, you have it in the State of Texas, but in many states that do have some form of an HMO accountability plan, it does not cover everyone. So the reason why it is important for this to be passed at a Federal level is that when you pass it at a Federal level, all states must be in compliance. The Patients' Bill of Rights then becomes the law of the land, and whatever your HMO is, you have the opportunity, whether you are in Iowa, in New Jersey, California, New York or Texas, that you have the opportunity to ensure that there is accountability for the HMO.

I think that is very important, because the question has been raised, well, a number of states already have done it, why do you have to do it? Because you have states that have done it, but do not have full coverage, and you have states that have not done it and, therefore, it is important for Federal law for us to act.

Mr. PALLONE. I agree. Reclaiming my time, the bottom line is that even in the states that have strong patient protections, like Texas, a significant amount of people, sometimes the majority, are not covered by those protections, because of the Federal preemption.

I would say right now there are only about 10 states that have protections as strong as Texas, my own being one of them. But the other 40, some have no protections, some have much weaker laws. So this notion that somehow everybody out there is already getting some kind of help is not really accurate for most Americans. That is why we really need this bill.

I think we only have a couple of minutes, so if I could conclude and thank the gentlewoman and my other colleagues from Texas for joining us tonight in saying that we are going to be watching. We will be here again demanding that we have a vote on the real Patients' Bill of Rights. Let us hope we have it on Thursday. But, if we do not, we will continue to demand that the Republican leadership allow a vote.

#### MISSILE DEFENSE

The SPEAKER pro tempore (Mr. KELLER). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, I know it is late in the evening, but this evening I wanted to visit with you about an issue that I think is inherently important to every citizen of America, and not just the citizens of America, but to

the world as a whole, to every country in this world as we go into the future. Tonight I want to speak to you about a subject that I think we have an obligation to use some vision about, to think about future generations, and what this generation needs to do not just to protect our generation, but to protect future generations, to give future generations the type of security that as American citizens they deserve, that as American citizens they can expect their elected officials, they can obligate their elected officials to provide for them. Tonight I want to visit about missile defense.

Now, we have heard a lot of rhetoric in the last few days about missile defense. Well, we do not need it. It is going to escalate the arms race. Why, building a defense to protect your country and to protect your citizens from an incoming missile is not something we should undertake. In fact, the recommendation seems to be, leave our citizens without a shield of protection.

I take just exactly the opposite. I think every one of us has an obligation to protect our citizens with a shield that will mean something, not simple rhetoric.

I have to my left here a poster, and tonight I am going to go through a series of posters. If you will pay close attention, I think you will find that these posters advocate a strong case of why this country, without hesitation, should move forward immediately to engage in a missile defense system, to put into working order with other countries some kind of an understanding that the United States of America feels it has an inherent obligation to protect its citizens with some kind of shield.

Let me go over a couple of points here. First of all, to my left, I call this poster "probability of events." When you look at it, you see my first box, my first yellow box is called intentional launch. There I am referring to an intentional launch of a missile against the United States of America. I call this a probability.

I have the next box called accidental launch. I call this a probability. At some point in the future, against the United States of America, some country, unknown to us today as far as which country will do it, but the facts are that some country will attempt to launch a missile against the United States of America. That is why it is our obligation as elected officials representing the people of America, who swear under our Constitution to protect the Constitution, which within its borders obligates us to provide security for the citizens of the United States, that is why it will be our responsibility to begin to provide that security blanket for the American people and for our allies, that when this intentional missile launch comes, we will be prepared.

The second thing I speak about is an accidental launch. Do not be mistaken. We know the most sophisticated, most

well-designed aircraft in the world, take a civilian plane, a 747, once in awhile they crash. Take the most sophisticated, the finest invention you can think of, whether it is a telephone, whether it is a radio, whether it is a computer, whether it is an electrical system; there are accidents. In fact, I am not so sure that we have had much of any invention that at some point or another does not have an accident.

It is probable that at some point in the future some country, by mistake, will launch a missile towards the United States of America. And, right now, as you know, an accidental launch against us, number one, we would not know whether it was accidental or not, and, two, the only defense we have today, the only defense we have today against an accidental launch, is retaliation. And what is retaliation going to bring? Because of an event, a horrible consequence of a missile launched against us by accident, by accident, our retaliation could initiate the Third World War, the most devastating disaster to occur in the history of the world.

Yet we can avoid this, because if we have a missile defensive system in place and a country launches a missile against the United States by accident, or intentionally, but here we are referring to the accidental launch, the United States of America can shoot that missile down and they can stop that war from occurring.

There are plenty of other less severe, significantly less severe measures, we can take against a country that accidentally launches against us. Retaliation is not one of them that we should take, but retaliation is the only tool left today. I can assure you that the President of the United States, whatever party they belong to, if some country by accident launches a nuclear missile into Los Angeles or New York City or into the core of this country, into the middle of Colorado, where my district is located, the likelihood is that the President would retaliate forthwith.

Now, I had an interesting thing happen to me this evening while I was waiting speak, listening to my colleagues. I was outside talking to a couple of officers, Officer Conrad Smith and Officer Wendell Summers. Good chaps. I was out there visiting with them, and they brought up an interesting point.

They said, "What are you going to speak about tonight, Congressman?"

I said, "I am going to speak about missile defense, like an intentional launch against our country, or an accidental launch against our country."

Do you know what Officer Smith said? I did not think about it, but it is so obvious. Officer Smith said to me, "Do you know what else we could use a missile defense system for? It is space junk. Like, for example, Congressman, if a space station or like the Mir Space Capsule is reentering the United States, we could use our missile defense to destroy that in the air, so that

it doesn't land on some country or kill some people when it reenters from space."

I never thought about that. Now, there is a logical use for a missile defense system; dealing with space junk. As we know, space junk falling out of space as it begins to lose momentum in its orbit is an issue that future generations are going to have to deal with on a fairly extensive basis.

□ 2230

Our generation has gotten away with it because we are launching into space, and by the time our generation moves on, there will be lots of objects in space that have lost their momentum and begin the reentry. Officer Summers and Officer Smith had something to add tonight, and I think they are right, and I can assure my colleagues that I am going to put that right here. We will see a new yellow box on my next poster in regards to missile defense.

Now, what kind of responses do we have? My poster lists the responses. Look, it is real simple. It is not complicated. The responses are: one, we have a defense; or two, no defense. That is the choice. It is as clear as black and white. That is the choice. We either defend against a missile, incoming missile to the United States, or we do not defend against it. There is no muddy waters, there is no middle ground. We either defend against it or we do not defend against it.

Where are we today? Where is the most sophisticated, the most technically advanced country in the history of the world today? We are today check-marked the second box. No defense. What do I mean by that?

We have a military base, we share it with the Canadians, called NORAD, located in Colorado Springs, Colorado, the district of my good friend, the gentleman from Colorado (Mr. HEFLEY) in Cheyenne Mountain, the granite mountain. We went into the mountain, we cored out the center of the mountain, and we put in there an airspace system for detection.

What does that system provide for us? Very simple. It can tell us anywhere in the world at any time of the day, with any kind of weather conditions, under any kind of temperature when a missile has been launched. It can tell us the approximate speed of the missile. It can tell us the target of the missile. It can tell us the estimated time of impact of the missile. It can tell us what type of missile they think it is. It can tell us whether or not, based on the information that they have gathered, whether the missile has the likelihood of a nuclear warhead on top of it. But then, guess what? That is it. That is it.

They can call up the President of the United States, and they say, Mr. President, we have an emergency at NORAD. Mr. President, we have an incoming missile. We believe the target of impact is Los Angeles, California. Mr. President, we think that the time

of impact is 15 minutes and counting. Mr. President, we think this is a realistic threat; our confidence factor is high. We have confirmed an incoming missile. The President thinks, what can we do? Of course, the President knows what we can do, but just for this example, what can we do, Mr. President? The President says, What can we do? to his military commanders, to our space command. Mr. President, you can contact the mayor of Los Angeles, tell them they have an incoming missile, they now have 13 minutes, we will say prayers for them, and that is it.

Now, you tell me that is not a dereliction of duty of every one of us elected in these Chambers. Every one of us in these Chambers, we have the technical capability to put in place a missile defensive system in this country. We have that technical capability, and we have a commitment from this President, who has been very solid on his support and on his leadership. Thank goodness he has stepped forward. President George W. Bush has stepped forward to lead us into a missile defense.

We had a test 3 weeks ago. It was a remarkable test. It shows that we are well on our way towards coming up with the technology that is necessary to deploy a missile defensive system for our country. What happened? They put a target, an incoming missile into the sky. It was approaching at 4½ miles per second; 4½ miles per second. That fast, 4½ miles. We then fired an intercept missile. Now, remember, these two missiles cannot miss by a foot; they cannot miss by six inches. These missiles have to hit head-on. We cannot afford a missile miss with an incoming nuclear warhead.

What happened? Our intercept missile coming at 4½ miles per second, the incoming missile at 4½ miles per second, and we brought two speeding bullets together. That is a major accomplishment.

Do we know what is happening around the world? We have heard a lot of publicity lately. The Europeans, for example, Europe is aghast that the United States would even think of abrogating the ABM Treaty, which I will discuss in detail here in a moment. Why would they think about building a missile defense system?

Well, let me, first of all, make it very clear to my colleagues that when we hear people make an objection to our missile defense system and we hear them say, the Europeans are opposed and it is going to break our relationships with the Europeans, let me tell my colleagues something: the Europeans are not unified in their opposition to our missile defense; they are not unified in their opposition to a missile defensive system.

In fact, the leader of Italy has come out and not only strongly supports, but encourages, the United States of America to, as quickly as possible, deploy a missile defensive system. Our good friends, the United Kingdom, the British, who are always at our side, have

come forward. They support this President on building a missile defense system. Spain. Spain has taken a very careful look at the missile defense system.

Do we know what is going to happen? Count on it. Count on it. Just as sure as I am telling my colleagues today, we can count on it. Those European countries, one by one, will have to answer to their citizens why they do not have some type of protective shield, some kind of security blanket like the United States offers for its citizens and, one by one, those European countries will come across the line from opposing and from being a check mark in this box to my left of "no defense," one by one, led by Italy and the United Kingdom and Spain right behind them, one by one, they will cross that territorial line and they will go into the defensive category. They will build, or will be the beneficiary of, a defensive missile system.

Let us talk for a few moments about the new strategic study. We have right now really a three-pronged attack threat against the United States of America. The first one is something that has just come of age here in the last few years called informational warfare. We have all heard about it, I think. In the last few days, we received an alert about a Code Red, some kind of virus that has been put into the computer systems around the world, specifically targeted at the American defense system. It is amazing to hear from the Pentagon how many people, how many people try and break into our national defense computers 24 hours a day.

Now, how many of those culprits are foreign countries or agents of foreign countries? We do not know. And we are not going to be able to figure that out. What we have to do is just the same as we do for our computers. On our computers, we do not put our defense computers out there and say we are not going to build a shield against people who are trying to break into the computer system or put a bug in our system. Do we know what we do with our national computer systems, our defense computer systems, our military computer systems? We build a defense for the bug. We put in shields within our computer programming. We put in walls wherever we can. Those are the technical things; we put in walls to prevent those people from coming in.

Why would we not do the same? What is the difference between an incoming missile and somebody trying to manipulate one of our computers, perhaps manipulate a computer to issue a false order regarding a military exercise, for example. So we have to worry about information warfare. We are addressing that as we speak right now. Obviously it is a priority of the military: How do we protect our communication systems? How do we protect our information systems? How do we protect our software?

The second threat is a terrorist threat. This is a tough one. Now, do

not let people say, well, missiles are not the real threat to this country, the real threat is somebody carries a vial of bacteria and they come to Washington, D.C. and drop it into the water supply. Well, of course it is a threat, but do not discount the third threat, and that is a missile-delivered attack right here, weapons of mass destruction, WMD. The delivery of a weapon of mass destruction attack, a biological weapon, a nuclear weapon, some other type of poisonous weapon.

Some states are developing terrorist and missile capabilities. We know that is happening. I know on here: U.S. reserves the right to strike terrorist bases. We know this. We have to reserve that right. But my point with this poster is we really had that three-pronged attack, information attack, attack on our information systems, and we are building a defense for that. We have a defense in place. We constantly have to change that defense. Because every time we put up a wall, somebody tries to figure out how to get around it. It happens thousands of times every year. It happens around the clock with the Pentagon's computers. We know it is happening.

The second one, the terrorist threat, we are addressing that. We are building defenses against that. We were fortunate enough, for example, to catch a couple of years ago at the Canadian border through a lot of good luck, but nonetheless through a lot of good police work, we would be able to stop what could have been a horrible disaster at one of our airports. Of course, the missile delivered weapons of mass destruction. But what is happening?

I have some of my colleagues on this House Floor who, in my opinion, with all due respect are in make-believe land when they think that we should not build a defensive system for our citizens, to give our citizens protection in the future as soon as we can get it in place against an incoming missile, whether launched by accident, or whether it is intentional.

Now, let us talk about the big roadblocks that some people have been putting up as a reason not to have a missile defense. It is called the Antiballistic Missile Treaty, the ABM Treaty. Let us just go over some of the basics of it. Let me tell my colleagues the basic thought pattern of the Antiballistic Missile Treaty. First of all, understand that this treaty was made almost 30 years ago. It was a treaty not between the United States and a number of other countries; it was a treaty made between the only two countries in the entire world, in 1972, there were only two countries in the entire world that could deliver a missile anywhere in the world; only two. It was the Soviet Union and the United States of America.

So in 1972, the Soviet Union, which, by the way, no longer exists, and the United States of America entered into a treaty. The thinking was that since there are only two countries in the

world, the way to protect ourselves is we will both agree that we cannot defend ourselves. Now, how does that make sense? The theory being, we would be reluctant as the United States to fire a missile against the Soviet Union if we were prohibited from defending a retaliatory attack against us. In other words, we knew that any attack we made on Russia would be retaliated on, because we were not allowed to build a defense. That is the thinking behind the Antiballistic Missile Treaty.

Now, I do not agree with it. I do not think the thinking was very solid in 1972, but it did have some justification in thought in 1972 because it was built entirely, and let me say this repeatedly: the Antiballistic Missile Treaty was built entirely on the premise that only two nations in the world had the capability to deliver a missile anywhere in the world. This treaty, the Antiballistic Missile Treaty, was not built on the premise that a number of countries in the world would have the capability to deliver a missile anywhere in the world, and that is the situation that we face today.

Mr. Speaker, we have had extraordinary circumstances which have changed in the last 30 years. Take a look at your car. Take a look at a car in 1972. There have been a lot of dramatic changes in 1972, and we should not be afraid since 1972 to stand up; in fact, I think we have a responsibility to stand up to the people that we represent. Today, the threat to America, the threat to the citizens of America is a whole lot different and a whole lot more serious than the threat to citizens in 1972. We have an obligation as elected officials to make sure that our country stays up to speed; that our citizens do not drive 1972 cars and our citizens do not rely on a 1972 defensive system or nonsystem to protect them.

Let us look at the treaty very quickly; again, the Antiballistic Missile Treaty. Each party agrees to undertake limited antiballistic missile, these are defensive missile systems, and to adopt other measures in accordance with the treaty. I am going to skip through here at this point.

The treaty, by the way, is not a complicated treaty. It is very easy to get your hands on, 3, 4, 5, 6 pages. It is not a treatise that is a big thick book like that, it simply is 4 or 5 or 6 pages. For the purposes of this treaty, it is a system, a defensive system, the ABM. Each party, and this is crucial language in the Antiballistic Missile Treaty: each party undertakes not to develop, test or deploy ABM defensive missile system, or components which are sea-based, air-based, space-based or mobile land-based.

□ 2245

Each party undertakes not to develop, test, or deploy ABM launchers for launching more than one ABM interceptor missile at a time from each launcher, et cetera, et cetera, et cetera.

What has happened? What is the rest of the treaty about? Let me bring up another part of the treaty.

Remember, this treaty was put together by scholars. This treaty contains within its four corners, within the four corners of the document, this treaty contains certain rights, certain rights bestowed upon the United States of America, certain rights bestowed upon the Soviet Union.

One of those rights which is being wholesally ignored by the rhetoric of the people who are trying to convince the American people that they should not defend themselves in the case of a missile attack, one of the arguments they put forward is ridiculous, to say the least.

What is that argument? Their argument is, oh, my gosh, if you want to abrogate or pull out of, if you want to pull out of the antiballistic missile treaty, that means the United States would start violating treaties all over the place. That means the United States walked away from treaty obligations. That means the United States broke their word on a treaty that they are a signatory to.

That is so inaccurate it borders right on the edge of inaccuracy and an outright lie. The treaty contains within its four corners the right for the United States of America or the right for the Soviet Union to pull out of the treaty. That is a right. It is not a breach of the treaty. It is not described as a breach of the treaty. It is a right that is bestowed by the language, specifically bestowed by the language.

Let us take a look at the specific language that I am speaking of. It is important that we go through this. Please, look at my poster here, Article 15 of the antiballistic missile treaty: "This treaty shall be of unlimited duration."

Now, obviously I highlight this next section. This is the right of which I speak, which we can use. Any time we hear someone say we are breaking a treaty, we are not breaking any treaty. Someone who says we are walking away from a promise we made, that is baloney. This is the treaty right here. These are rights contained within it.

Let us go on.

Number two: "Each party shall," "shall, in exercising its national sovereignty have the right," the right, that is what I have been speaking about, "to withdraw from this treaty if it decides that extraordinary events," and "extraordinary events," that is a key buzz word, "extraordinary events," and I am going to show some extraordinary events very shortly.

Let us go on: "If it decides that extraordinary events related to the subject matter of this treaty have jeopardized its supreme interests." That is another buzz word, "jeopardized."

Do we have in place, number one, extraordinary events, right here, extraordinary events; and do we have a jeopardizing of our national sovereignty? Then, "It shall give notice of its decision to the other party 6 months prior

to the withdrawal of the treaty. Such notice shall include a statement of the extraordinary events the notifying party regards as having jeopardized its supreme interests."

Thank goodness, the President of the United States today, George W. Bush, understands that we cannot have this treaty and a missile defense at the same time. Thank goodness that the President of the United States, George W. Bush, understands that it is not a violation of the treaty to withdraw from the treaty; it is not a violation of the treaty to notify the other side that we will no longer, after a 6-month period of time, be held to the obligations of the treaty. Why? Because within the treaty it is a right for us to withdraw.

Fortunately, the people who drafted this treaty understood and had the foresight that future generations may have extraordinary events that jeopardize the sovereign nationality of their country, that threaten that sovereignty, and that it may be necessary as a basic right of this treaty to withdraw from the treaty.

Let us talk about what could jeopardize the United States of America and our sovereignty, and let us talk about what could be extraordinary events. Do Members know what, I have a poster that I think explains it. A picture, as they say, is much better than words. Take a look at this poster.

Let us talk about an extraordinary event. Remember back in history in 1972, there were two nations in the world, the Soviet Union and the United States of America, that had the capability to deliver a missile anywhere in the world. No other country, no exception, no other country had the capability to deliver a missile anywhere else in the world.

Frankly, no one envisioned that for any reasonable period of time in the future that any other country in the world, that any other country in the world would obtain that capability. Can Members imagine anyone in 1972 imagining that in the scope of 30 years this would happen, this poster to my left?

This is an extraordinary event. Clearly, what this poster depicts jeopardizes the national sovereignty of the United States of America. Let us take a look, extraordinary events: no longer just Russia, no longer what used to be the Soviet Union. Every one of these points, every one of these arrows, see the arrows here on the map, and they are small, Mr. Speaker, but all of these arrows point to one thing. They point to North Korea, they point to Pakistan, they point to India, they point to Israel, they point to China.

All of those countries I just named, every one of those countries has the capability to deliver a nuclear missile, to fire a nuclear missile. That is nuclear.

Let us continue. In addition, Iraq, Iran, Libya, all have ballistic missile technology that can deliver a chemical or a biological weapon. In other words, it is extraordinary that now there are

not two countries but there are any number of countries in the world that can launch a nuclear missile.

I am going to show a poster a little later on to show just exactly what North Korea could do to Alaska, for example. Members do not think, with this kind of threat facing the United States of America, we do not think that as Congressmen of the United States, that we do not have some type of inherent commitment or obligation or duty to provide our citizens with a protective shield. Of course we do. Failure to do that would be the grossest negligence in recent history of this country, in my opinion.

Let us move on.

Do Members want to talk about extraordinary events, a threat or something that jeopardizes the future of the United States of America? Do Members want to see it? It is right here. If Members can take a look at this poster, and after looking at it, walk away and with a straight face say to any one of our constituents that the United States of America should not deploy a missile defense system, then that Member has just performed great disfavor and has brought discredit, discredit to the vision that one is obligated to provide for future generations in this country.

Ballistic missile proliferation, countries that we know today are possessing ballistic missiles. Remember, in 1972, 30 years ago, there were two nations, the United States and the Soviet Union. The treaty that those two nations signed between each other said that we are the two, and the way to defend that this does not get out of hand between us, let us put this treaty into effect.

But when we put this treaty into effect, if we think that if extraordinary events occur, as a right of this treaty, a basic right of this treaty, that jeopardize the national sovereignty of either the Soviet Union or the United States of America, we could walk out of the treaty and withdraw from the treaty. It is not a breach of the treaty; it is a right of the treaty. Here we are. Take a look at it.

Ballistic missiles: Hungary, India, Iran, Iraq, Israel, China, Croatia, the Czech Republic, Egypt, France, North Korea, South Korea, Libya, Pakistan, Saudi Arabia, Russia, Ukraine, United Kingdom, Vietnam, Afghanistan, Argentina, Bulgaria. I think I mentioned Croatia. How much more proof do we need?

Where is the proof? Right here is the proof. We do not call this an extraordinary event? We do not think that this kind of map here, look at the blue. That is where there are ballistic missiles. Are Members telling me that this little area right here, the United States of America, that its elected officials, that its President, should not build a defensive system that protects it from an incoming missile from any one of these countries, either accidental or intentional?

How can Members even step forward with that kind of an argument? There

is only one choice we have. The extraordinary events that have occurred in the last 30 years offer us only one choice. That choice is, we have no option other than to build a defensive security system for the citizens of the United States of America. Failure to do so would be dereliction of our duty and our oath, sitting here on the floor of the House of Representatives.

Let me just reemphasize another startling poster. Let me show something else, in case some of my colleagues so far have not been convinced that extraordinary events have occurred since 1972. If some of my colleagues are not convinced that we face the jeopardizing of our national security, of our national interests, take a look at this poster, just in case they need convincing.

Nuclear proliferation, here we are. Every red spot on this map has the capability of delivering a nuclear missile into the United States of America. Those are the ones we can confirm. We have high suspicion, I think probably verifiable, that we have countries who have that capability today.

They are Iran, maybe not the capability, but right on the edge; Iraq, right on the edge; North Korea, I think they possess the capability to hit the United States of America, first of all Alaska, and soon the coast of California; Libya.

Now add onto that back here Britain, nuclear missile capability; China; France; India; Israel; Pakistan; Russia; and the United States. There has been a proliferation, a proliferation of offensive nuclear weapons in this world. We as leaders have an obligation to step forward and provide for our citizens some type of defensive system.

I mentioned earlier about North Korea and the capability of North Korea. Let us look specifically at North Korea as an example. North Korea can currently reach Alaska with ballistic missiles. It will only be a matter of time before they can reach the continental United States.

What do we mean by "a matter of time"? I mean a matter of months to maybe a few short years, if they do not already have the capability to launch a missile, a ballistic missile, against the continental United States. And remember, maybe not necessarily intentionally. For a little country like North Korea to intentionally launch a nuclear missile against the United States of America, talk about a suicidal thought, the United States would retaliate with a minimum amount of retaliation and wipe North Korea out.

So maybe North Korea would not fire intentionally a missile against the United States, but do Members think that North Korea has the type of fail-safe systems on their nuclear systems that we would feel comfortable with? I do not think they do.

So what if North Korea by accident, by accident hit the button and launched a missile against the United States of America? Do Members think we should be prepared for that kind of

consequence? Do Members think that it is responsibility that demands that we have that kind of preparedness? Of course it is. Look what happens.

Look at this right here. Look at the range. First they were here, then they got out to 1,500 kilometers, then out to 4,000 kilometers; and now look where they are, 6,000 kilometers.

Let me ask the Members, how much more clear can a threat be? Again, for those who are not convinced that any country would ever launch intentionally against the United States, first of all, with due respect, I think they are being naive. But if in fact they truly believe that, how many can assure their constituents, can assure the American public or our allies or our friends that an accidental launch will never occur against the United States of America? They cannot do it, and they know they cannot do it.

Let us for a moment assume the unassumable, the worst kind of scenario we can imagine next to an intentional launch. Let us assume that a nation that has the capability of hitting the core, hitting the middle of the United States or even the eastern border; let us take Philadelphia, for example. It fires a nuclear missile by accident against the United States, and the incoming missile will impact in Philadelphia. Let us say it is not a particularly big missile. It has two warheads on it.

As many know, nuclear missiles have multiple warheads on them. One of our submarines, a Trident submarine in the United States naval force, can deliver, what, 195 missiles because of the multiple missile warheads that we have?

Let us just say that just two of those, a small missile with two warheads on it, was fired accidentally against the city of Philadelphia.

□ 2300

What do we have? Take a look at this poster right to my left. I will tell my colleagues exactly what we have. We will have 410,000 people dead, 410,000 people dead in an accident that was preventable. Dead in an accident because we on the House floor, we in the Senate have neglected to give our President, in my opinion, the necessary support that he is demanding to protect the United States of America with a missile shield, a shield of protection. We have that obligation.

President Bush and the Vice President, Mr. CHENEY, are practically begging us to give them support; not fight them. This is not a partisan issue. Now, some people are trying, as usual, to say that anybody that wants a missile defense system are war mongers. But the fact is this is about as strong a non-partisan issue as exists in the United States House of Representatives today. This is not an issue of the Republicans protecting the United States of America with some kind of protection shield and the Democrats refusing to protect the United States of America. This is an issue that crosses party lines. This

is a responsibility placed squarely on the shoulders of every one of us sitting in this room.

For those of my colleagues who are refusing to carry the weight that has been placed on their shoulders, defending this country, I just want to say, shame on you. Now, why do I say shame on you? Because someday, someday that is going to happen. Those fortunate to be a survivor had darn well better be able to look in the mirror and say, I did what I could for the citizens of America to protect them from exactly what is depicted on this poster to my left.

Now, how does a missile defense system work? I want to show how we can do it. Technologically, this is going to be done. Technologically, future generations are going to have the capability to do exactly what I am saying needs to be done, and that is to provide a system in this country for defense. How does it work? Let us take a look.

Space-based. We know we are going to have a space-based unit. Why? Because a space-based unit, or that staging of our missile defensive system, allows us to do a couple of things. One, satellites we can move. Satellites are not stationary. For example, if we see a threat arising in Pakistan or we see a threat arising in North Korea, we can move our satellite so that satellite is over that country, so that the laser beam that would come out of that satellite, and we have that technology, the laser beam that can come out of that satellite can be shifted around. It is a mobile defense.

What is the other big advantage of having a mobile defense? The other big advantage is we can stop that missile on its launching pad. How many of these countries would want to have a missile preparing to fire against the United States only to face the threat that the United States could fire an instantaneous laser beam and destroy the missile on its pad, meaning that that missile would go off in their country instead of its intended target, the United States of America. That is why we have to have a space-based ingredient in this missile defense system.

The second point. Sea-based. We have to have the capability to hit that missile, if the missile is successfully launched either intentionally or by accident off its launching pad, and we are not able to stop it on the launching pad as it heads over the ocean, we need to have the capability from a ship-based defensive system to take that missile down while it is over the ocean.

Now, we will have wind currents and things like that, but the minimal amount of casualties will occur if we can somehow bring that missile down even without exploding it or detonating it. If we could hit it with some type of laser or some type of device to bring it down without detonation. And if we can do that, we need to do it somewhere over the ocean where, obviously, we do not have a heavy population.

But let us say it goes beyond that. Air-based. Here is a good demonstration. Here is our laser-based satellite. Here is the incoming missile. Now, remember, this entire period of time may take, at a maximum, probably 30 minutes to go from a far point to the United States. We also need an airborne laser so that if we miss it on our satellite laser, if we miss it on our sea-based laser, we still have the capability from aircraft to fire a laser rendering that incoming missile incapable.

And then finally, over here on the end, we have our command and control. We have an interceptor missile. That is the type of missile I was talking about earlier where we had a successful test 3 weeks ago. Now, some people, and I do not understand their argument, but some people are saying, look, if we have a failure, if the test does not work, we should abandon a missile defense system.

Give me a break. Give me a break. How many times did we have to try surgery or try the new invention of a machine, how many times did the Wright brothers and others have to get in those airplanes and figure out accident after accident after accident, test after test after test how to improve it, how to make it work? That is exactly what we have here. Not all our tests are going to be successful. We know that. And we need to admit it up front. Last week we had a successful test. We are going to have more success in the future. And eventually, and I mean in short order, I think in a matter of years with the leadership of our President and the support of this Congress, and the support of future Congresses, through testing and through dedication and through resources and research, we will have fulfilled our duty by developing, from a technological point of view, a missile defense system.

So let me review what I think are a few very, very important points. Let us start out with a premise. We have an anti-ballistic missile treaty that is called the ABM Treaty. That treaty was executed in 1972. It was negotiated in the late 1960s and the early 1970s, and, again, executed in 1972. Now, at that point in time two countries in the world, two countries in the world, the Soviet Union and the United States of America, were the only countries that had the capability to deliver a missile anywhere they wanted in the world.

At that point in time, not China, not North Korea, not South Korea, not India, not Pakistan, not Argentina, not Israel, none of these countries were thought to have at any time in the near future the capability to fire a missile, a nuclear missile, anywhere in the world.

But let me step back just for a moment. The vision of the people who negotiated this treaty on both sides of the treaty was that there could be extraordinary circumstances, for example, other countries having the capability to deliver missiles; for example, many other countries developing nuclear capability; for example, the acts

of terrorism that we have seen in these last few years. Those are extraordinary events. And the drafters of this treaty understood, and though I do not agree with the premise under which they drafted this treaty, they understood there might be extraordinary events that threatened the national sovereignty of a country. And if that occurred, it should be a fundamental right, a basic right contained within the four corners of that treaty, that allowed a country, a United States or a Soviet Union, to withdraw from the treaty.

And that is exactly where we are today. We have no choice, in my opinion, but to withdraw from this treaty, and we have no choice but to offer protection to the American people.

What has happened in these 30 years? We know, from my earlier graph that I showed, that nuclear proliferation now exists throughout the world. We know that the probability of a missile attack against the United States, either intentionally or accidentally, is going to occur at some point. In fact, every day that goes by gives us 1 more day to make sure that when that missile attack occurs or when that accidental launch occurs, we are prepared to defend against it.

Now, if we fail, for example, and the worst failure or the worst scenario I can imagine is some country, because they do not have the fail-safe mechanism that our country has, accidentally launches against the United States. Under those circumstances, right now our only response really is to do nothing, which no President is going to do when you lose hundreds of thousands of people, or to retaliate.

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Mr. Speaker, no President is going to go without retaliation. So if anything, you want to have a missile defense system in place so that an accidental launch does not start World War III. So if someone launches against the United States, or if somebody launches against an ally of the United States of America, or let us take it further, let us say some country accidentally launches against an enemy country, let us say someone launches against North Korea, the United States of America, our vision will allow our country to have the capability. We find out from our command center that India has by accident just launched a missile against North Korea; we should have the capability to stop that missile so it does not even hit a country like North Korea throughout the world which can prevent a horrible disaster from occurring, only if, however, my colleagues on this House floor support the President of the United States in demanding that this country forthwith deploy a missile defense system on behalf of the citizens of the United States of America.

That is an accidental launch. Let us talk about an intentional launch. Do you think you will continue to see in

the future a proliferation of missiles if the people building the missiles know there is a system in the country that will stop their missiles on the launching pad? That there is a system that the United States of America possesses that will not only stop an incoming missile from hitting the United States or an ally, but is so technically advanced that they can destroy their missile on their launching pad? How many more missiles do you think they will build?

The vision that I have for the future, for my children's generation, for my grandchildren's generation is that they will look back at us and say, missiles were those useless things back then. Nobody has any use for a missile today because anytime a missile goes off, it is stopped instantaneously. That is the goal.

We should not stand by some treaty that says the way to stop proliferation of missiles in the future is not to defend against them. Give me a break. That is like saying the way to stop the spread of cancer is not to take any chemotherapy. Do not offer chemotherapy as a threat, and maybe then people will stop smoking. That does not make any sense. It is the same thing here. It does not make any sense at all to the way, the theory to stop missile proliferation is not to defend against it.

By the way, there are only two countries in the world subject to the antiballistic missile treaty. India is not subject to it. North Korea is not subject to. China is not, Pakistan is not, Israel is not subject to it. Only two countries: the United States of America and the old Soviet Union. The day has arrived, colleagues. The responsibility has arrived. The duty has arrived. We owe it to the people of America. We owe it to the people of the world to build a missile defense system. We have the technology, or we will secure the technology within the no-too-distant future.

I cannot look at any of you more seriously than I look at you this evening to say that your failure to help this Nation build a missile defense system for its citizens and for the people of the world is a gross dereliction of duty and responsibility bestowed upon you when you took the oath to serve in the United States Congress.

#### PRESIDENT'S ENERGY POLICY IS HUGE MISSED OPPORTUNITY

THE SPEAKER pro tempore (Mr. KELLER). Under the Speaker's announced policy of January 3, 2001, the gentleman from Washington (Mr. INSLEE) is recognized to address the House not beyond midnight.

Mr. INSLEE. Mr. Speaker, I do not normally participate in Special Orders, especially at this time of night; but there is something that the House is going to consider tomorrow that I believe we are heading in the wrong direction on, to wit, the President's en-

ergy policy, that I felt compelled to come here this evening to speak about the huge missed opportunity that this energy policy represents.

Mr. Speaker, as I was walking over here this evening thinking about what I was going to say, I looked up at the dome and thought how beautiful it is. I thought about some of the great inspirational things, the farsighted things that have actually taken place in this building; and the thing that really got me thinking about this issue is when John F. Kennedy stood right behind me at the rostrum and said that America, this was back in the early sixties, said America should put a man on the moon and bring him home safely within the decade. A huge challenge at that time before computers were existent and we had multistage rockets, an enormous visionary challenge to America to move forward on a technological basis, even though some of the technology was not there yet. President Kennedy understood the nature of the space race and the potential capability of the country to move forward, and challenged America with a policy.

The President's energy policy, unfortunately, does not challenge America to go anywhere. The President's energy policy, which we will vote on tomorrow in this Chamber, is a continuation of the last 100 years of old technology.

I would like to address, Mr. Speaker, why that policy misses so many golden opportunities. Let me say simply that a summary of this energy policy would be simple. It is of the oil and gas companies, it is by the oil and gas companies, and it is for the oil and gas companies. In ways that should be obvious to anyone who will look at this plan, will realize that the oil and gas companies should smile giant smiles when they consider the enormous giveaways by the American taxpayer to this old industry.

Of the \$33 billion of taxpayer money that essentially is handed out through tax incentives and royalty relief, fully 70 percent or more goes to fossil fuel-based industries, our old technological base. Royalty relief in the millions of dollars to excuse payments that are owed by oil and gas companies to the American taxpayers are written off the books, just excused. Billions of dollars in tax incentives, not for a new industry on the cutting edge of technology but for something that we have been doing for over 100 years, drilling holes in the ground to get oil and gas. This may have been a good policy in 1901, 100 years ago. It may have made sense when we needed to perfect technology, and drilling holes in the ground where we needed to give incentives to the automobile industry. But this massive give away encapsulated in this bill is now 100 years out of date. It is a perfect energy plan for a different century.

Mr. Speaker, we would like to make efforts to change that. I have offered an amendment with a Republican colleague of mine, the gentleman from